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Abstract

Every nation values its youth since the younger generation is crucial to that nation's future. The advancement of the nation and the growth of the young society are comparable to the two sides of a coin. A country's younger generation is essential to its development. Every nation uses its young people to succeed in a variety of professions, but does India do the same? The sad reality is that several ills are causing India's youth's situation to deteriorate. What kind of state is the youthful generation in when they don't care about the family, the nation, or even themselves? Even the thought of it instils fear in the mind. The significant elements of juvenile delinquency among Indian kids are also covered in this chapter. Additionally, it includes

renowned case laws and NCRB records for simple context interpretation.

KEYWORDS: youths, deviants and delinquents.

INTRODUCTION

The highest teenage population in the world, at 253 million, is found in India, according to data released by UNICEF. This number is an entire population of several nations. Quiet Interesting right? Juvenile crime rates are also rising quickly year over year at the same time. A total of 31,170 crimes were registered against juveniles in 2021, showing a 4.7% increase over 2020 when 28,539. Only these acts were registered, and there are many others that may go unreported and are referred to be "dark

figures." Majority of the time, only significant crimes are seen, and aberrant behaviour is often ignored. As a result of this phenomena, things get out of hand since they should be stopped from engaging in illegal activities before, they truly get into problems. These abnormal behaviours worsen and develop into significant felonies. In the modern period, many abnormal behaviours are becoming commonplace and fashionable. The majority of young people are fascinated by this and become unruly and lawbreakers as a result.

UNDERSTANDING DEVIANCE AND DELINQUENCY

Deviance is defined as the disregard for or violation of society norms and standards. While delinquency is essentially an infraction. not all deviant behaviour is criminal in nature. For instance, it is against the norms to punch tattoos in several religious contexts. Punching tattoos is a violation of that particular clause so it is referred to as deviation. Juveniles who commit offences which are prohibited by law or engaging in conventional crimes are referred to as delinquents, in the context of delinquency. Deviance is controlled by moral institutions including social norms, religious norms, and the community. On the other hand, the juvenile justice care and protection act is regarded as famous legal institutions which include juvenile courts, juvenile police units, and specific juvenile

treatment centres like the juvenile justice board plays major role in delinquency.

JUVENILE INSTITUTIONS IN INDIA

In order to prosecute, correct, and rehabilitate lawbreakers, India has a number of institutions to handle different kinds of offenders. They can only be more successful if they are approached differently in each context. Adolescents and minors sometimes face different legal obligations and penalty levels. The law categorically forbids administering harsh punishment to children in any situation.

JUVENILE JUSTICE BOARD

It is an institutional organization that operates in accordance with Section 4 of the 2015 Juvenile Justice Act. The primary goal of this organization is to deal with "children in conflict with the law," as that term is defined in Section 2(13) of the JJ Act of 2015. Two social workers, at least one of whom is a woman, and one first-class court magistrate make up each juvenile justice board. They must adhere to specific requirements and have expertise in domains like these in order to be eligible to serve as a board member.

1. The candidate should engage for seven years in specific areas like, health, education or welfare activities related to child at least for 7 years.

Or,

2. a practicing professional with a degree on child psychology, psychiatry, sociology or law.

The child who involved in conflict with law shall be produced before the board within 24 hours of the custody. After the hearings, the board will do the best interest to the child. Also, the board mainly look for the mental ability of the child and examines about the knowledge regarding their action and punishment which varies depends on the conclusion. In accordance with Section 15 of the JJ Act of 2015, a child who is 16- 18 years old, who commits a heinous crime faces a maximum sentence of 7 years in a correctional facility

The JJB is required to “conduct a preliminary assessment with regard to his mental and physical capacity to commit such offence, ability to understand the consequence of the offences of the offence and the circumstances in which he allegedly committed the offence” before taking a decision whether the child needs to be tried as an adult.¹² The assessment shall be completed within 3 months of the date of produced first. Once, the juvenile comes under eligible for understanding category shall be sent to ‘place of safety’ until the age of 21, and once he completed the age of 21 shall be sent to prison. at the same time, if he doesn’t fall under that category will be sent to ‘special home’.

OBSERVATION HOMES

The JJ Act of 2015's Section 47 establishes and governs this body. This organisation serves as a temporary holding facility for children who are allegedly in violation of the law. Every child alleged to be in conflict with law who is not placed under the charge of parent or guardian and is sent to an observation home.³ After the arrival of child, the classification and segregation is made upon the child’s age, gender, also special considerations like, physical and mental ability and finally degree of the offence. Based on those criteria, segregations are made.

SPECIAL HOME

The JJ Act of 2015's Section 48 establishes this body. The primary goal of this organisation is to provide the necessary services for the rehabilitation of children who fall into the category of children in legal conflict. Based on their mental capacity and the offences they have committed, the delinquents at this facility are also categorized.

PLACE OF SAFETY

Section 49 of the JJ act, 2015 constitute this body, so as to place a person above the age of eighteen years or child in conflict with law, who is between the age of sixteen to eighteen years and is accused of or convicted for committing a heinous offence.⁴ This institution operates a detention Centre and

aids in the detention of juveniles who have committed grave felonies.

These are some major institutions in India which deals with juvenile delinquency.

INDIA'S VOICE ON UN

- In 2022, UNSC high level open debate on children and armed conflict, UN ambassador R Ravindra said, closure of schools due to pandemic, terrorist groups used this opportunity and targeted children with terrorist and violent extremist ideologies. The debate came a week after the report on the secretary general on 'children and armed conflict' was released, and on that report, 25% of child casualties which is (2,257) were caused by mines, improvised explosive devices and explosive remnants of war.⁵
- "We are witnessing a dangerous and worrying trend in global terrorism and that is an increase in the number of children that are being recruited and involved in terrorism related activities,"

foreign secretary Harsh Vardhan Shringla said during the United Nations security council open debate regarding children and armed conflict 2021. He also said that children are easy to manipulatable and

school closures due to the pandemic also helped the terrorists to influence and target the juveniles.

DELINQUENCY IN INDIA

India is a country with a vast landmass and diverse cultures. Common and conventional crimes can be found in all areas, but even today in some parts of our country, different and major crimes are committed by juveniles. For example, At the forefront of the new militancy in the Indian state of Jammu and Kashmir (J&K) are children.⁶ Also, another famous incident shook the whole country, the proliferating narcotics and psychotropic substances trade in Gujarat has revealed a sinister sideae drug traffickers are using children as young as 9 to 13 years old as 'couriers'.⁷ As against 74 percent rise in overall cases in the last decade under the narcotic drugs and psychotropic substances (NDPS) Act, the number of such cases involving juveniles has more than doubled in the same period.⁹ The case examples given above is only small piece of cake, from which we can get to know how much these crimes have grown. Trends on juvenile Crimes vary from state to state due to various factors like, strictness of the enforcements, supports from local people or it may be anything.

Who is to blame if children commit a crime? Their parents? Their schools? Their peers?

Environment? But the bitter truth is that this all is a big part of it.

How parents contribute to delinquency?

parents are every child's first supervisor. Parents should understand their child's action and their situation in-order to guide them. Parents can easily identify if their children are doing something wrong by observing the changes in behaviour of their children. By punishing their children, parents help children learn that their actions are wrong. A study has been conducted by Delhi Commission for Protection of child rights (DCPCR); they stated that parental neglect of their children pushes the juveniles into the crime world. Also, their study found that only 29% of the children's parents spends quality of the time, and families which spends quality time and showering warm relationships works as an effective barrier which protects them from deviance and delinquency. A little more time from parents might help prevent juveniles from committing crimes.¹⁰ Imagine how a child differentiate good and bad when their parents left them alone. Gottfredson and Hirschi also emphasize regarding the importance of key role of the parents by socializing them and restrain from deviant and Anti-social behaviour in their famous book called *A general theory of crime*.

How schools contribute to delinquency?

If the trigger of delinquency is the family, neighbourhood, community, or environment then school plays a crucial role in preventing and

identifying offending behaviours at an early stage.⁸ Among social controlling agents, schools also play a crucial role in the development of children. After homes, children spend quality of time on school with teachers and further co-peers. Also, it is an important phase of the children life that, they are easily vulnerable and prone to deviant and delinquent activities. Also, the deviance and delinquent activities may also seem fascinating for the juveniles. Only children with self-restraint can escape from drifting into the unlawful act, or else child with less self and social control will be stuck. School provides various options for the children to engage in various healthy activities such as sports, music and other academic activities which helps the children to bound in healthy circle, also it helps the children to engage in community-based line. Majority of the schools often involves their students on various community service along with volunteering and rendering services to the society. Here with these aspects, schools work as an effective barrier.

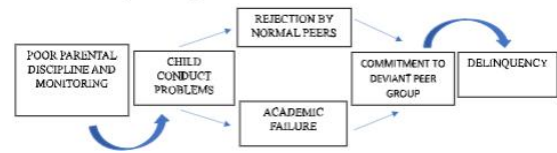
Also, the famous international united nations treaty called the Riyadh Guidelines, which is for prevention of juvenile delinquency, suggested that the education system to work along with the family, communities and welfares which are associated with children.

How peer contribute to delinquency

Peer groups and behaviours are inevitable & inalienable in nature. It's also scientifically proven by my many researches that peer groups are closely associated with the character and behaviours of the juvenile whether it is good or bad. The subcultures also arise from the peer groups. Usually, peer group consists of members have same interest and mindsets. Peer associates have a great influence on the lifestyle of their members.¹² Peer groups shares common values and if the values are criminal based, then the members would apt the value though. Peer group can deviate a person to both positive and negative lanes, it depends on the quality and association of the members and values. Social scientists such as mccord and kevin, 2001, and savnecki,2004, identify a co-relate between peer influence and the development of anti-social behaviour.¹¹ Peers associations are not necessarily wrong always, it depends on the group members. Almost, juveniles and their co-peers sometimes follow their group's words and decisions. According to scientists such as Patterson, DeBaryshe, Ramsey, 1989 made a pattern regarding the development of anti-social behaviour in delinquent child. Their diagram helps to understand the anti-social behaviour and factors highly contributes and associated with the anti-social development. (Fig 1)

Figure-1 development of anti-social behaviour on the deviant child.

(Source; Patterson, DeBaryshe, Ramsey,1989)



How environment contribute to delinquency?

There is a general theory that our actions and behaviours are priorly based on where we live. Our actions are based on what we grow up seeing in a place. It is well known that high rates of crime and deviance can persist in specific neighbourhoods despite repeated, complete turnovers in the composition of their populations.¹³ It depends on the place where the child raised. For example, if a juvenile grown from socially disorganised, norm-less and crime and criminals' prone area, where there are many chances that they too adopt the same. It doesn't mean that all juveniles raised in unstable society would become deviant or delinquent. It's all about the opportunities and situations they met and get. according to faris and dunham (1939), they demonstrated that neighbourhood with higher social disorganization have disproportionately higher rates of hospitalization for mental disorders than other areas.⁹ There are several reasons why delinquency are high in disorganised society, for easy understandings, lack of social values and norms, easily available options for crime, easy interactions with other criminals, lack of societal governance, lack of availability of moral values etc. environmental factors that contribute to

juvenile crime and violence include violent and permissive families, unstable neighbourhoods, and delinquent peer groups.¹⁰

PAST CRIME RECORDS

The below data has been extracted from the NCRB's famous publication called Crime in India.

Total number of crimes recorded (Both IPC and SSL)

S.No	2017	2018	2019	2020	2021
Total crimes recorded	33,606	31,591	32,269	29,768	31,170

(Source; NCRB, CRIME IN INDIA 2019-2021)

S.NO	OFFENCE AND SECTIONS	2019	2020	2021
1	MURDER 302	827	842	899
2	CULPABALE HOMICIDE NOT AMMOUNTING TO MURDER 304	30	50	68
3	CAUSING DEATH BY NEGLIGENCE 304A	453	261	308
4	DOWRY DEATH 304B	27	21	26
5	ABETMENT OF SUICIDE 305 AND 306	62	62	84
6	ATTEMPT TO COMMIT MURDER 307	994	981	1291

7	ATTEMPT TO COMMIT CULPABLE HOMICIDE 308	71	92	87
8	ATTEMPT TO COMMIT SUICIDE 309	2	3	21
9	MISCARRIAGE, INFANTICIDE, FEOTICIDE AND ABANDONMENT 313-318	10	10	8
10	HURT	6055	5867	5899
11	WRONGFUL RESTRAINTMENT / CONFINEMENT 341-348	78	62	68
12	ASSAULT ON WOMEN WITH INTENT TO OUTRAGE HER MODESTY 354	1220	1154	1063
13	KIDNAPPING AND ABDUCTION 363-369	963	725	866
14	HUMAN TRAFFICKING 370	7	4	7
15	EXPLOITATION OF TRAFFICKED PERSON 370A		0	2
16	SELLING OF MINORS FOR PROSTITUTION 372		1	0
17	BULLYING OF MINORS FOR PROSTITUTION 373		0	0
18	RAPE 376/511	1249	937	1218
19	ATTEMPT TO COMMIT RAPE 376/511	39	33	29
20	UNNATURAL	86	59	59

OFFENCES 377

21	OFFENCES AFFECTING THE HUMAN BODY		11164	12003
22	OFFENCES AGAINST STATE 121-124	0	0	1
23	UNLAWFUL ASSEMBLY 143-145	79	122	80
24	RIOTS 147-151	1053	875	746
25	OFFENCES PROMOTING ENMITY BETWEEN DIFFERENT GROUPS 153A & B	3	6	7
26	AFFRAY 159-160	22	25	12
27	THEFT 379- 382	8697	6081	6463
28	BURGLARY 354-360R/W	2128	1954	1983
29	EXTORTION & BLACKMAILING 384-389	93	61	63
30	ROBBERY 392/394/397	696	955	1186
31	ATTEMPT TO COMMIT DCOITY/ROBBERY 393-398	15	17	14
32	DACOITY 395/397	153	112	176
33	MAKING PREPARATION AND ASSEMBLY FOR COMMITTING DACOITY 399 & 402	75	74	79
34	CRIMINAL MISAPPROPRIATION 403 & 404	0	0	0
35	CRIMINAL BREACH OF TRUST 406 -	16	4	8

	409			
36	DISHONESTLY RECEIVING / DEALING IN STOLEN PROPERTY 411-414	62	29	82
37	OFFENCES AGAINST PROPERTY		9287	10054
38	COUNTERFEITING 231, 235,237,238,240 & 242-254	11	6	7
39	FORGERY, CHEATING & FRAUD 420 R/W 465,468-471 IPC AND IT ACT	110	118	101
40	OFFENCES RELATING TO DOCUMENTS & PROPERTY MARKS		124	108
41	OFFENCES RELATING TO ELECTIONS 171E TO 171 R/W IPC/SLL	3	0	3
42	DISOBEDIENCE TO ORDER DULY PROMULGATED BY PUBLIC SERVEN 188	14	332	87
43	HARBOURING AN OFFENDER 212/216/216A		1	0
44	OFFENCES RELATING TO ADULTERATION OR SALE OF FOOD/DRUGS 272-276		1	2
45	RASH DRIVING ON PUBLIC WAY 279/279 R/W 336	1233	806	859

46 OBSTRUCTION ON 24 0
PUBLIC WAY 283

47	SALE OF OBSCENCE BOOKS/ OBJECTS 292 & 293	1	0	0
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48 OBSCENCE ACTS 303 127 157
AND SONGS AT
PUBLIC PLACES 294

49	OFFENCES RELATING TO RELIGION 295-297	16	27	16
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50 CHEATING BY 4 4 2
IMPERSONATION
419

51	OFFENCES RELATED TO MISCHIEF 428-433	9	9	13
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52 ARSON 435, 436 & 64 45 43
438

53	CRIMINAL TRESPASS 447-452	173	192	175
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54 CRUELTY BY 66 55 64
HUSBAND OR HIS
RELATIVES 498A

55	CIRCULATE FALSE/FAKE NEWS/ RUMORS 505 IPC/R/W IT ACT		7	4
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56 CRIMINAL 438 648 1041
INTIMIDATION 506-
R/W OTHER IPC

57	INSULT TO THE MODESTY OF WOMEN 509	39	26	37
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58 MISCELLANEOUS 2304 2503
CRIMED

59	OTHER IPC CRIMES	1377	2492	1178
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60 TOTAL COGNIZABLE 29,126 26,399 26,692

The above table contains the record of offences registered only under IPC.

FAMOUS JUVENILE CASES ACROSS GLOBE.

Delinquency types and levels vary from country to country. Based upon the level of which they seen and grew, influence over their behaviour.

For example,

- In 2023, a 13-year-old juvenile set an open fire inside a school in Belgrade, Serbia, which resulted in the deaths of 8 kids and a guard.
- Agnes Marin, 13, was brutally killed in 2011 by Mathieu Moulinas, a 17-year-old. To test psychedelic mushrooms, they walked to the forest together. There, he savagely killed her and stabbed her 27 times while rapping. He then torched her corpse with fuel.
- Erin Caffey, at 16 years old, was the mastermind behind her own family's horrible murders in 2008. The occurrence happened in Alba, Texas. She was dating Charlie Wilkinson, 18, but her family wouldn't approve of their connection, so she plotted and carried out the slaughter that rocked the entire state. Fortunately, her father recovered from five gunshot wounds; nevertheless, her mother and two brothers died.

- Under the influence of beverages and drunkenness, 16-year-old Kevin Madden and Timothy Ferriman attacked Kevin's 12-year-old brother and caused him to drown in his own blood. In 2003, this occurrence occurred in Toronto, Canada.

Many situations were documented, similar to the aforementioned ones. Why did these juveniles lose control?

FAMOUS CASES IN INDIA

When it comes to Indian context, notably there are several cases registered under violent crimes. Aftermath of the famous Delhi rape case, (Nirbhaya case) played a major role on reforming the penal policy for juveniles in conflict with law. Also, there are several cases recorded under various time lines which also shook the whole country.

- The history of juvenile delinquency is incomplete without the infamous Delhi rape case of 2012, often known as the Nirbhaya case. Jyothi Singh, age 22, was gang-raped on a moving bus in the west of Delhi. Afroz, alias Raju, 17, was one of six defendants who were found guilty in the case. One offender hanged himself in Tihar prison and the remaining convicts were put to death, and this teenager was imprisoned for three years. The juvenile justice act of 2015 was created in response to this case. In the context of juvenile penal policy, where a juvenile between the ages of 16 and 18 can be prosecuted as an adult for grave offences, this shift is seamlessly important in the penal policy.
- The infamous case is referred to as the Lucknow PUBG murder. In 2022, a 16-year-old kid killed his mother for forbidding him from playing PUBG. When this young person's mother urged him to stop playing the game, he shot her with the father's legally owned gun. He became addicted to the game. He threatened and confined his 10-year-old sister in a room after killing his mother to stop news of the horror from getting out.
- In Aurangabad, 2019, a 14-year-old juvenile killed his own sibling for the meagre sum of 40 rupees. The youngster killed his sibling with a hammer. The day before the murder, the brothers got into a heated dispute, and as the younger brother was returning home and the older brother was asleep, the elder brother was brutally murdered by him.
- Last but not least, this case shook the whole world. The youngest serial killer till date found in Bihar, India. Amarjeet Sada, an 8-years-old juvenile who murdered 3 children including her own sister who was only 8 months old and her last victim was just 6 -months-old infant

Kushboo. The daily mirror quoted The Sun story as saying that “At the time of his capture, one psychologist called him a “sadist who deprives pleasure from inflicting injuries”.¹¹ After the punishments, he released at the age of 16 with a new name Albeit and his presence is still unknown.

CONCLUSION

The offender is not the only one to blame for a crime; society also shares some of the blame. Children respond in accordance with

their experiences as they grow up. In the case of children, not only the parents but also the society play a crucial role. The society must also teach children that making mistakes is unacceptable, protect them from it, and prevent them from happening again. Police only cannot stop crimes on their own; we must also cooperate to stop them. They learn and are exposed to our lessons as they grow up. The ills of civilization must be destroyed. Tomorrow won't be certain if we don't take action to halt and avoid these events.

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